

HELLER, DRAPER, HAYDEN, PATRICK & HORN, LLC
Attorneys for the Debtors
650 Poydras Street, Suite 2500
New Orleans, Louisiana 70130
(504) 299-3300

Douglas S. Draper, LA Bar No. 5073
ddraper@hellerdraper.com
Leslie A. Collins, LA Bar No. 14891
lcollins@hellerdraper.com
Kendra M. Goodman, LA Bar No. 32790
kgoodman@hellerdraper.com

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

IN RE:	§	
	§	
CONGRESS SAND & GRAVEL, LLC, <i>et al</i>¹.	§	Case No. 10-37522(SGJ)
	§	
DEBTORS.	§	Chapter 11
	§	(Jointly Administered)

**EX PARTE MOTION TO CONTINUE HEARING ON DISCLOSURE
STATEMENT AND HEARING ON MOTION FOR AN ORDER
PURSUANT TO SECTION 365(a) OF THE BANKRUPTCY CODE
AUTHORIZING THE DEBTOR TO ASSUME CERTAIN
LEASES OF NONRESIDENTIAL REAL PROPERTY [P-203]**

NOW INTO COURT, come Congress Sand & Gravel, LLC and Congress Materials, LLC as debtors and debtors-in-possession (the “Debtors”), who move (the “Motion”) that the hearings now set for April 28, 2011 at 2:30 p.m. on the Debtors’ disclosure statement [P-166] (along with all subsequent amendments, the “Disclosure Statement”), and the Debtors’ *Motion for an Order Pursuant to Section 365(a) of the Bankruptcy Code Authorizing the Debtor to Assume Certain Leases of Nonresidential Real Property* [P-203] (the “Motion to Assume”), as it

¹ The Debtors include Congress Sand & Gravel, LLC and Congress Materials, LLC (Case No. 10-37526).

pertains to VCH Ranch, LP and J&W Sand & Gravel, Inc., be continued until **May 16, 2011 at 1:30 p.m.**

The Debtors are in involved in various discussions with certain parties in interest to the Disclosure Statement, and Debtors' counsel is facing travel concerns as a result of numerous events taking place in New Orleans over the next few days, therefore the Debtors are requesting additional time so as to address these matters.

WHEREFORE, the Debtors pray that this Motion be granted and that the hearing on the Disclosure Statement and the Motion to Assume, both of which are currently set for hearing on April 28, 2011 at 2:30 p.m., be continued until May 16, 2011 at 1:30 p.m.

Dated: April 27, 2011

Respectfully submitted,

/s/Douglas S. Draper

Douglas S. Draper, La. Bar No. 5073

Leslie A. Collins, La. Bar No. 14891

Kendra M. Goodman, La. Bar No. 32790

Heller, Draper, Hayden, Patrick & Horn, L.L.C.

650 Poydras Street, Suite 2500

New Orleans, LA 70130-6103

Telephone: 504.299.3300/Fax: 504.299.3399

ddraper@hellerdraper.com

lcollins@hellerdraper.com

kgoodman@hellerdraper.com

AND

James C. Gordon, Texas Bar No. 08200300

Gordon, Sykes & Cheatham, LLP

1320 S. University Dr., Ste. 806

Fort Worth, Texas 76107

Telephone: 817.338.0724/Fax: 817.338.0769

jgordon@gordonsykes.com

Counsel for Congress Sand & Gravel, LLC and
Congress Materials, LLC

NOTICE ANNEX

Pursuant to 11 U.S.C. § 342, the following sets forth the name, addresses and last four digits of the tax identification number for each of the referenced Debtors:

<u>DEBTORS AND ADDRESSES</u>	<u>CASE NO.</u>	<u>TAX I.D. NO.</u>
Congress Sand & Gravel, LLC 14099 Ne Country Road 3180 Kerens, TX 75144	10-37522	xx-xxx2409
Congress Materials, LLC 1401 Cates Street Suite 201 Bridgeport, TX 76426	10-37526	xx-xxx5603

CERTIFICATE OF CONFERENCE

I, the undersigned counsel for Congress Sand & Gravel, LLC and Congress Materials, LLC, do hereby certify that debtors' counsel was unable to contact any interested parties prior to the filing of this motion because of the need for an expedited filing of this motion.

/s/ Douglas S. Draper
Douglas S. Draper, Esq.